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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/656,044	09/05/2003	Peter Rae Shintani	50M2824.02	8484

7590

11/17/2006

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EXAMINER

MONTOYA, OSCHTA I

ART UNIT

PAPER NUMBER

2635

DATE MAILED: 11/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/656,044	Applicant(s) SHINTANI ET AL.	
	Examiner Oshta Montoya	Art Unit 2635	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 24-35 and 37-39 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 24-35 and 37-39 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

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SUPERVISORY PATENT EXAMINER

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____. | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
5) <input type="checkbox"/> Notice of Informal Patent Application
6) <input type="checkbox"/> Other: _____. |
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DETAILED ACTION

1. Claims 7-23 and 36 are canceled according with preliminary amendment filed on September 5, 2003

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 4-5, 24-29, 31-32, 34-35 and 37-39 are rejected under 35 U.S.C. 102(e) as being anticipated by Lownes US 6,369,861.

Re claim 1, Lownes discloses an input device for selecting a channel in a digital television (Col. 6, lines 20-21, fig. 3), comprising: a keypad including a plurality of number keys for inputting respective numbers (Col. 6, line 22, fig. 3); and a delimiter key for inputting a delimiter (Col.6, line 23, fig. 3), where a channel is indicated by a major and minor channel number sequence which includes a major channel number input through one or more number keys of the keypad, a delimiter input through the delimiter key, and a minor channel number input through one or more number keys of the keypad (Col. 7, lines 5-9).

Re claim 4, Lownes discloses the input device of claim 1, further comprising an enter key (Col.6, line 23, fig. 3).

Re claim 5, Lownes discloses the input device of claim 1, further comprising a channel command key for selecting a sequentially adjacent channel (Col.6, lines 23-24, fig. 3)

Re claim 24, Lownes discloses a method for selecting a channel in a digital television, comprising: receiving a major and minor channel number sequence, including a major channel number, a delimiter, and a minor channel number, where the delimiter separates the major channel number and the minor channel number (Col. 7, lines 5-9); identifying a physical channel which corresponds to the major and minor channel number sequence by accessing a channel look up table (Col. 7, lines 22-24), where the channel look up table includes correspondences between major and minor channel number sequences and physical channels (Col. 2, lines 60-65); identifying a virtual channel table which corresponds to the physical channel (Col. 7, lines 24-25), where the virtual channel table indicates a virtual channel which corresponds to the major and minor channel number sequence (Col. 2, lines 60-65).

Re claim 25, the method of claim 24, further comprising: tuning to the physical channel to receive a signal carried on the physical channel; and decoding the virtual channel from the tuned signal (Col. 7, lines 25-28, fig. 6).

Re claim 26, the method of claim 25, where the virtual channel table indicates one or more packet identifiers which correspond to the virtual channel, and decoding the virtual channel further comprises using the indicated packet identifiers (Col. 7, lines 28-38).

Re claim 27, the method of claim 24, where the major and minor channel number sequence is generated by deriving a major and minor channel number sequence corresponding to a sequentially adjacent channel relative to a currently decoded virtual channel (Col. 7, lines 62-67, figs. 7).

Re claim 28, the method of claim 24, where the major and minor channel number sequence is generated by deriving a major and minor channel number sequence corresponding to a sequentially adjacent channel relative to a currently tuned physical channel (Col. 8, lines 19-25, fig. 8).

Re claim 29, a method for selecting a channel in a digital television, comprising: inputting a major channel number which indicates a frequency band; and inputting a channel selection which, in combination with the major channel number, indicates a channel associated with the major channel number (Col. 7, lines 5-10).

Re claim 31, the method of claim 29, where inputting a channel selection comprises inputting a minor channel number (Col. 7, lines 5-10).

Re claim 32, the method of claim 31, where inputting a channel selection further comprises inputting a delimiter (Col. 7, lines 5-10).

Re claim 34, lownes discloses a system for selecting a channel in a digital television, comprising: means for inputting a major channel number which indicates a first physical channel carried on a broadcast signal (Col. 7, lines 5-7); means for inputting a delimiter (Col. 7, lines 7-8); and means for inputting a minor channel number which indicates a channel encoded in a digital signal carried on a second physical

channel (Col. 7, lines 8-10), where the second physical channel is indicated by the combination of the major channel number and the minor channel number (Figs.4-5), and where the delimiter separates the major channel number from the minor channel number (Col. 7, lines 5-10).

Re claim 35, the method of claim 34, where the means for inputting a major channel number and the means for inputting a minor channel number are a keypad (Col. 6, lines 20-25, fig. 3).

Re claim 37, lownes discloses a system for selecting a channel in a digital television, comprising: means for receiving a major and minor channel number sequence, including a major channel number, a delimiter, and a minor channel number, where the delimiter separates the major channel number and the minor channel number (Col. 7, lines 5-9); means for identifying a physical channel which corresponds to the major and minor channel number sequence by accessing a channel look up table (Col. 7, lines 22-24), where the channel look up table includes correspondences between major and minor channel number sequences and physical channels (Col. 2, lines 60-65); and means for identifying a virtual channel table which corresponds to the physical channel (Col. 7, lines 24-25), where the virtual channel table indicates a virtual channel which corresponds to the major and minor channel number sequence (Col. 2, lines 60-65).

Re claim 38, the method of claim 37, further comprising: means for tuning to the physical channel to receive a signal carried on the physical channel; and means for decoding the virtual channel from the tuned signal (Col. 7, lines 25-28, fig. 6).

Re claim 39, lownes discloses a system for selecting a channel in a digital television, comprising: means for inputting a major channel number which indicates frequency band (Col. 7, lines 5-7); and means for inputting a channel selection which, in combination with the major channel number, indicates a channel associated with the major channel number (Col.7, lines 8-10).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2 and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lownes, US 6,369,861 as applied to claims 1 and 32 respectively, and further in view of Mallozzi et al, US 4,962,459.

Re claim 2, Lownes discloses the input device of claim 1. Lownes fails to teach that the delimiter is a dot. However, Mallozzi et al teaches an input device where the dot can be used as a delimiter in order to differentiate numeric values (Col. 4, line 55).

Therefore, taking the combine teaching of Lownes and Mallozzi as a whole, it would have been obvious to have the input device with the dot as a delimiter in order to differentiate numeric values.

Re claim 33, Lownes discloses the method of claim 32. Lownes fails to teach that the delimiter is a dot. However, Mallozzi et al teaches an input device where the dot can be used as a delimiter in order to differentiate numeric values (Col. 4, line 55).

Therefore, taking the combine teaching of Lownes and Mallozzi as a whole, it would have been obvious to have the input device with the dot as a delimiter in order to differentiate numeric values.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lownes, US 6,369,861 as applied to claim 1 above and further in view of Pegg, US 5,163,097.

Re claim 3, Lownes discloses the input device of claim 1. Lownes fails to teach that the keypad includes at least one key which can be used to input a letter. However

Pegg teaches an input device that the keypad can be used to input either numbers or letters (Col. 7, lines 21-23).

Therefore, taking the combine teaching of Lownes and Pegg as a whole, it would have been obvious to have the input device with alphanumeric capabilities.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lownes US 6,369,861 in view of Ozkan et al, US 6,111,611.

Re claim 30, Lownes discloses the method of claim 29. Lownes fails to teach that inputting a channel selection comprises selecting a channel from a list displayed in a menu, where the menu lists one or more channels associated with the major channel number. However Ozkan teaches that the user can select a channel from a menu in order to receive a desired program (Col. 3, lines 30-33).

Therefore, taking the combine teaching of lownes and Oskan as a whole, it would have been obvious to have the method having the capability of choosing a channel from a menu list in order to receive a desired program.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lownes, US 6,369,861 in view of Brian et al, US 5,548,345.

Re claim 6, Lownes discloses the input device of claim 1. Lownes fails to teach that the input device further comprising a second keypad, where the first keypad is for inputting a major channel number and the second keypad is for inputting a minor channel number. However, Brian teaches an input device having two keypads (col. 3, line 47-49) in order to facilitate TV/video viewing supervision (Abstract).

Therefore, taking the combine teachings of Lownes and Brian as a whole, it would have been obvious to have the input device with two keypads to input the major and minor channel numbers in order to facilitate TV/video viewing supervision.

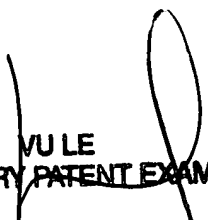
Contact

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Oshta Montoya whose telephone number is (571) 270-1192. The examiner can normally be reached on Monday/Friday 7:30 to 5:00 off every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vu Le can be reached on (571) 272-7332. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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